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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY – CAMDEN VICINAGE

-----X
LOIS GIORDANO, : Civil Action No.
: :
Plaintiff, : :
: :
v. : : **NOTICE OF REMOVAL TO THE**
: : **UNITED STATES DISTRICT COURT**
: :
WACHOVIA SECURITIES, LLC : :
and UNITED PARCEL SERVICE : :
: :
Defendants. : :
: :
: :
: :
-----X

TO: The United States District Court
For the District of New Jersey
Mitchell H. Cohen U.S. Courthouse
1 John F. Gerry Plaza
Camden, New Jersey 08101

Mark R. Cuker, Esq.
Attorney for Plaintiff
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Cherry Hill, New Jersey 08002

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PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1332, 1441(a), and 1446, Defendant Wachovia Securities, LLC (“Wachovia”), by its attorneys, hereby removes this action from the Superior Court of New Jersey, Law Division, Atlantic County to the United States District Court for the District of New Jersey. In support of this Notice of Removal, Defendant Wachovia states as follows:

1. Plaintiff Lois Giordano originally commenced this action by filing a Complaint against Defendant Wachovia and the other above-captioned defendant in the Superior Court of New Jersey, Law Division, Atlantic County, New Jersey, where it is presently captioned as Lois Giordano v. Wachovia Securities, LLC, et al., Docket Number ATL-L-8152-05. No further proceedings before the state court have occurred.
2. Plaintiff filed her Complaint December 19, 2005, well after the February 18, 2005 effective date of the Class Action Fairness Act of 2005, Pub. L. 109-2, 119 Stat. 4 (setting forth amendments to 28 U.S.C.A. §1332).
3. In the Complaint, Plaintiff alleges common law causes of action against Defendant Wachovia and co-defendant United Parcel Service (“UPS”). A true and correct copy of Plaintiff’s Complaint is attached hereto as Exhibit A.
4. Plaintiff makes class allegations, seeking to represent a putative national class which Plaintiff alleges to include “at least forty thousand” persons. See, Exhibit A, ¶¶39-42.
5. Plaintiff alleges that she is a citizen of the State of New Jersey. Id., ¶3.
6. Wachovia is a citizen of the Commonwealth of Virginia.

7. Plaintiff seeks compensatory and broad injunctive relief on behalf of the putative class, putting in controversy a sum or value exceeding \$5,000,000. Id., pp. 9-10.

8. This Court has diversity jurisdiction over Plaintiff's Complaint pursuant to 28 U.S.C.A. § 1332(d)(2) and 1441(a) in that the Complaint exceeds the required amount in controversy and presents the required minimal diversity.

9. All served Defendants consent to the removal of this action, as initiated by Defendant Wachovia. (A true and correct copy of the written consent to removal signed by a representative for UPS is attached hereto, incorporated by reference herein and marked as Exhibit B).

10. Plaintiff served Wachovia no earlier than January 4, 2006. Plaintiff served UPS on January 6, 2006.

11. This Notice of Removal is timely, having been filed within thirty (30) days of the date on which Defendant Wachovia was served with Plaintiffs' Complaint. See 28 U.S.C. § 1446.

12. Wachovia files this Notice of Removal without waiving, and specifically reserving, all defenses, objections, exceptions and motions, including but not limited to lack of service, improper service, improper venue, lack of personal jurisdiction, and arbitrability of Plaintiff's claims.

13. Written notice of this Notice of Removal of this action is being immediately provided to the Superior Court of New Jersey, Atlantic County, Law Division. See Exhibit C.

14. Written notice of this Notice of Removal of this action is being caused to be served on the Plaintiff and all other counsel of record on this date.

WHEREFORE, Defendant Wachovia gives notice that this action is removed from the Superior Court of New Jersey, Atlantic County, Law Division to the United States District Court for the District of New Jersey.

Respectfully submitted,

REED SMITH LLP



Mark Melodia, Esq.
Attorney for Defendant
Wachovia Securities, LLC

Dated: February 1, 2006